

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ROBERT ANDREW RAMSEY,

Plaintiff,

v.

ELKO COUNTY SHERIFF'S DEPT. et al.,

Defendants.

Case No. 3:19-cv-0279-MMD-CLB

REPORT AND RECOMMENDATION
OF U.S. MAGISTRATE JUDGE¹

I. DISCUSSION

On November 1, 2019, Plaintiff submitted an *in forma pauperis* ("IFP") application with the court (ECF No. 6). A review of the application showed Plaintiff may have the ability to pay the full filing fee. Thus, on February 4, 2020 the court gave Plaintiff forty-five (45) days to either resubmit an updated IFP application, with an updated financial certificate, or pay the full filing fee. (ECF No. 7.) On the same day, the minute order was returned as undeliverable. (ECF No. 8.) On February 18, 2020, the court instructed Plaintiff to update his address and gave him an additional forty-five (45) days to resubmit an updated IFP application or pay the full filing fee. (ECF No. 9.) While Plaintiff has filed a notice of change of address with the court (ECF No. 11), he has failed to file an updated IFP application or pay the full filing fee. Accordingly, the court recommends that this action be dismissed without prejudice, for Plaintiff's failure to comply with this court's order to file an updated IFP application or pay the full filing fee.

The parties are advised:

1. Pursuant to 28 U.S.C § 636(b)(1)(C) and Rule IB 3-2 of the Local Rules of Practice, the parties may file specific written objections to this report and recommendation

¹ This Report and Recommendation is made to the Honorable Miranda M. Du, United States District Judge. The action was referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and the Local Rules of Practice IB 1-4.

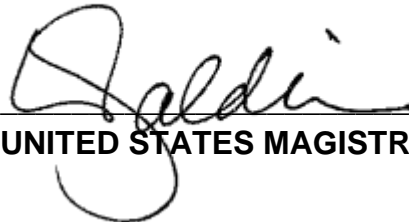
1 within fourteen days of receipt. These objections should be entitled "Objections to
2 Magistrate Judge's Report and Recommendation" and should be accompanied by points
3 and authorities for consideration by the District Court.

4 2. This report and recommendation is not an appealable order and any notice
5 of appeal pursuant to Fed. R. App. P. 4(a)(1) should not be filed until entry of the District
6 Court's judgment.

7 **II. RECOMMENDATION**

8 For the reason stated above, the court recommends that the District Court enter
9 an order **DISMISSING** this action without prejudice.

10 **DATED:** April 6, 2020.

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12 **UNITED STATES MAGISTRATE JUDGE**
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